

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

RICKY JAMES DEMONTINEY,

Defendant.

CR-23-109-GF-BMM

**ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS**

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on June 12, 2025. (Doc. 61.)

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Bad Old Man v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on June 11, 2025 (Doc. 60.)

The United States accused Ricky Demontiney (Demontiney) of violating the conditions of his supervised release by: (1) using methamphetamine on January 28, 2025; and (2) consuming alcohol on January 28, 2025; by (3) being charged on January 29, 2025 with Possession of Dangerous Drugs with Intent to Sell or

Sale of Dangerous Drugs, in violation of Title IV, Part VI, § 2.7 of the Fort Belknap Tribal Code; (4) being charged on January 29, 2025, with Criminal Possession of Dangerous Drugs in violation of Title IV, Part VI, § 2.2 of the Fort Belknap Tribal Code for being in possession of fentanyl; (5) being charged on January 29, 2025 with Criminal Possession of Dangerous Drugs in violation of Title IV, Part VI, § 2.2 of the Fort Belknap Tribal Code for possession of methamphetamine on December 18, 2024; and (6) being charged on January 29, 2025 with Criminal Possession of Drug Paraphernalia in violation of Title IV, Part VI, § 2.3 of the Fort Belknap Tribal Code. (Docs. 50 and 53.)

At the revocation hearing, Demontiney admitted he had violated the conditions of his supervised release by: (1) using methamphetamine on January 28, 2025; and (2) consuming alcohol on January 28, 2025. The Government moved to dismiss allegations 3-6, which the Court granted. (Doc. 60.)

Judge Johnston found that the violations Demontiney admitted prove serious and warrants revocation of his supervised release and recommends a term of custody of time served, with 30 months of supervised release to follow. (Doc. 61.) The Court advised Demontiney of his right to appeal and to allocute before the undersigned, he waived those rights. (Doc. 60.)

The violation proves serious and warrants revocation of Demontiney's supervised release. The Court finds no clear error in Judge Johnston's Findings and Recommendations.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 61) are **ADOPTED IN FULL. IT IS FURTHER ORDERED** that Rickey James Demontiney be sentenced to a term of custody of of time served, with 30 months of supervised release to follow.

DATED this 25th day of June 2025.



Brian Morris, Chief District Judge
United States District Courts